

## **SECTION 17 - EXCEPTIONS FOR AREAS AND HEIGHTS**

1. In a residential district, a permitted building, other than a dwelling or accessory building, may be built to a height greater than the limitation stated within the regulations for that district provided that the rear yard and side yard widths specified are increased 1 foot for every foot of height over the minimum heights specified.
2. The height limitations specified in these regulations shall not apply to church spires, belfries, cupolas, penthouses and domes not used for human occupancy; nor to chimneys, ventilators, skylights, water tanks, bulk heads and other similar features and necessary mechanical appurtenances usually carried above the roof level, nor to television and radio towers and antennas provided that all Federal Aviation Administration and any other applicable requirements are met. A parapet wall or cornice, without windows, may be erected to a height not exceeding 5 feet above the height limitations specified for the district in which the structure is located.
3. In calculating the percentage of lot coverage or required yards for the purpose of applying the requirements of these regulations, the following features of a structure shall not be included as coverage nor be considered an infringement into the required yards:
  - a. Unenclosed steps, stairways, landings and stoops not extending above the ground floor level.
  - b. Unenclosed walks and driveways.
  - c. Retaining walls not more than 1 foot higher than the ground retained.
  - d. Flue or fire place chimney attached to the principal buildings.
  - e. The outer 3 feet of cornices, canopies and eaves extending from a principal building.
  - f. Solid fences or walls serving as privacy screens provided that such structures do not exceed 6 feet in height and that in residential districts such structures are located only in rear yards.
  - g. Open fire escapes except that they shall not project into a required side yard more than one-half the width of that side yard.
  - h. Fire escapes, balconies and enclosed stairways located in rear yards only and provided that such facility extends not closer than 15 feet from the rear lot line.

4. Where the wall of a structure is not parallel to a side or a rear lot line, the required least dimension of the side yard or the rear yard along such line may be considered to be the averaged distance of said wall from said lot line, provided that no such side yard shall be less than 4 feet in width at any point and no such rear yard shall be less than 10 feet in depth at any point.
5. Where the frontage upon the same side of a street between two intersection streets is occupied or partially occupied by structures with front yards which do not conform to the front yard provisions of these regulations, or where the configuration of the ground is such that conformity with such front yard provisions would create unusual problems and hardship, the Board of Zoning Appeals may permit modification of front yard requirements in accordance with Section 20 herein.
6. On a corner lot a structure may face either street; however, the front yard depth specified within these regulations shall apply along both the intersecting streets regardless of whether that yard is actually a front yard or side yard for that specific structure.